

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2010-153071-001 DT

04/02/2012

COMMISSIONER RICHARD ALBRECHT

CLERK OF THE COURT

L. Sheehan

Deputy

STATE OF ARIZONA

JEFFREY HEINRICK

v.

RIGOBERTO PAULIN ARTEAGA (001)

DOB: 01/22/1975

ALFONSO GABRIEL CASTILLO

APO-SENTENCINGS-CCC

APPEALS-CCC

CITS - CCC SPANISH

DISPOSITION CLERK-CSC

RFR

VICTIM SERVICES DIV-CA-CCC

**SUSPENSION OF SENTENCE - UNSUPERVISED PROBATION**

11:38 a.m.

Courtroom SCT 3A

State's Attorney:	Donna Coleman for Jeff Heinrick
Defendant's Attorney:	Alfonso Castillo
Defendant:	Present
Interpreter:	Luis Hernandez

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Pursuant to stipulation, an Amended Plea Agreement is filed this date.

Count 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2010-153071-001 DT

04/02/2012

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1: AGGRAVATED DRIVING OR ACTUAL PHYSICAL CONTROL WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS

Class 4 Felony

A.R.S. § 28-1381(A)(1), 28-1383(A)(1), 28-3001, 28-3304, 28-3305, 28-3315, 13-701, 13-702, 13-801

Date of Offense: 09/30/2010

Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 4 months from 04/02/2012

Presentence Incarceration Credit: 51 days

IT IS ORDERED suspending imposition of sentence and placing Defendant on Unsupervised Probation to be monitored by the Adult Probation Department (APD) in accordance with APD's Compliance Monitoring Standards:

Count 1 Probation Term: TWO YEARS

To begin upon release from the Department of Corrections.

Conditions of probation include the following:

Condition 2 - Not possess or control any stun guns, tasers, firearms, ammunition, deadly, or prohibited weapons as defined by A.R.S. § 13-3101.

Condition 5 - If deported or processed through voluntary departure, will not return to the United States illegally during the term of probation. If deported, all conditions, except Condition 5, are suspended.

Condition 6 - Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of any conditions completed. Comply with any written directive of the APD to enforce compliance with the conditions of probation.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2010-153071-001 DT

04/02/2012

Condition 7 - Notify APD within 10 days of any change of address and/or telephone number.

Condition 8 - Request and obtain permission of the APD prior to leaving the state.

Condition 11 - Actively participate and cooperate in the following program(s):

MADD Victim Impact Panel Program

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$65.00 per month, beginning on a date to be determined.

FINE: Count 1 - Total amount of \$1,380.00, which includes surcharges of 84%, payable \$35.00 per month beginning on a date to be determined.

DUI ABATEMENT FUND: Count 1 - \$250.00, payable \$25.00 per month, beginning on a date to be determined.

PRISON CONSTRUCTION & OPERATIONS FUND: Count 1 - \$1,500.00, payable \$25.00 per month, beginning on a date to be determined.

Count 1: \$1,500.00 payable \$25.00 per month to the Public Safety Equipment Fund pursuant to A.R.S. § 41-1723 beginning on a date to be determined.

PROBATION SURCHARGE: Count 1 - \$20.00 payable on a date to be determined.

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00, payable \$20.00 per month, beginning a date to be determined.

PENALTY ASSESSMENT - § A.R.S.12-116.04: Count 1 - \$13.00 payable on a date to be determined.

Investigative Agency :

Phoenix Police Department

All amounts payable through the Clerk of the Superior Court.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2010-153071-001 DT

04/02/2012

Condition 22: Other - Driving privileges are revoked for three years. After reinstatement, ignition interlock for one year.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion To Dismiss the following: Counts 2, 3 and 4.

Count 1: IT IS FURTHER ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS FURTHER ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

The EDC Adult Probation Office has prepared a written Presentence Investigation and Recommendation.

11:46 a.m. Matter concludes.

ISSUED: Order of Confinement - Certified Copy to DOC via Certification Desk

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2010-153071-001 DT

04/02/2012

Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ COMMISSIONER RICHARD ALBRECHT  
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)